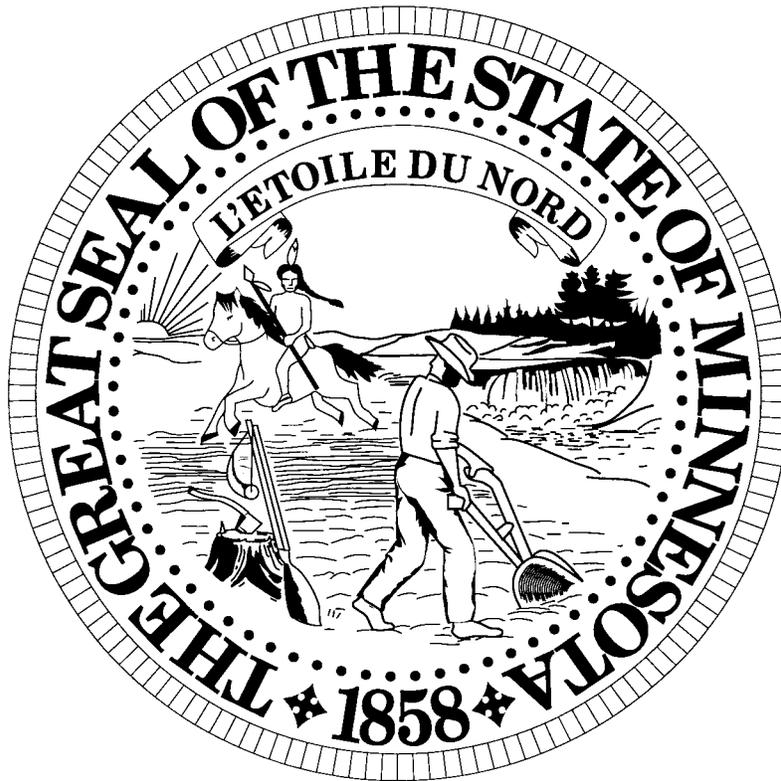


State of Minnesota

State Register

Rules and Official Notices Edition



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State Register

Judicial Notice Shall Be Taken of Material Published in the *State Register*

The *State Register* is the official publication of the State of Minnesota, published weekly to fulfill the legislative mandate set forth in *Minnesota Statutes* § 14.46. The *State Register* contains:

- proposed, adopted, exempt, expedited emergency and withdrawn rules
- executive orders of the governor
- appointments
- proclamations and commendations
- commissioners' orders
- revenue notices
- official notices
- state grants and loans
- contracts for professional, technical and consulting services
- non-state public bids, contracts and grants
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Printing Schedule and Submission Deadlines

Vol. 28 Issue Number	PUBLISH DATE	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts	Deadline for Both Adopted and Proposed RULES
#46	Monday 17 May	Noon Tuesday 11 May	Noon Wednesday 5 May
#47	Monday 24 May	Noon Tuesday 18 May	Noon Wednesday 12 May
#48	TUESDAY 1 JUNE	Noon Tuesday 25 May	Noon Wednesday 19 May
#49	Monday 7 June	Noon Tuesday 1 June	Noon Wednesday 26 May

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Minnesota State Court System

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Minnesota Judicial Center, Room 135, 25 Rev. Dr. Martin Luther King Jr Blvd.,
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Minnesota Rules: Amendments and Additions

NOTICE: How to Follow State Agency Rulemaking in the State Register

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 80 state agencies have the authority to issue rules. Each agency is assigned specific **Minnesota Rule** chapter numbers. Every odd-numbered year the **Minnesota Rules** are published. The current 1999 set is a 13-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Generally speaking, proposed and adopted exempt rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency (*Minnesota Statutes* §§ 14.101). It does this by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, or within 60 days of the effective date of any new statutory grant of required rulemaking.

When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or a notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*. After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the *State Register* as **Adopted Rules**. These final adopted rules are not printed in their entirety in the *State Register*, only the changes made since their publication as Proposed Rules. To see the full rule, as adopted and in effect, a person simply needs two issues of the *State Register*, the issue the rule appeared in as proposed, and later as adopted. For a more detailed description of the rulemaking process, see the most current edition of the *Minnesota Guidebook to State Agency Services*.

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues #1-13 inclusive; issues #14-25 inclusive; issue #26 cumulative for issues #1-26; issues #27-38 inclusive; issue #39, cumulative for issues #1-39; issues #40-51 inclusive; and issues #1-52 (or 53 in some years), cumulative for issues #1-52 (or 53). An annual subject matter index for rules was separately printed usually in August, but starting with Volume 19 now appears in the final issue of each volume. For copies or subscriptions to the *State Register*, contact Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000, or toll-free 1-800-657-3757.

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Proposed Rules

Comments on Planned Rules or Amendments

An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rules Amendments** from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency (*Minnesota Statutes* § § 14.101). It does this by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking.

Rules to be Adopted After a Hearing

After receiving comments and deciding to hold a public hearing on the rule, an agency drafts its rules. It then publishes its rules with a notice of hearing. All persons wishing to make a statement must register at the hearing. Anyone who wishes to submit written comments may do so at the hearing, or within five working days of the close of the hearing. Administrative law judges may, during the hearing, extend the period for receiving comments up to 20 calendar days. For five business days after the submission period the agency and interested persons may respond to any new information submitted during the written submission period and the record is then closed. The administrative law judge prepares a report within 30 days, stating findings of fact, conclusions and recommendations. After receiving the report, the agency decides whether to adopt, withdraw or modify the proposed rule based on consideration of the comments made during the rule hearing procedure and the report of the administrative law judge. The agency must wait five days after receiving the report before taking any action.

Rules to be Adopted Without a Hearing

Pursuant to *Minnesota Statutes* § 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing. An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rules Amendments** from the public. The agency then publishes a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.14-14.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

Minnesota Department of Health

Environmental Health Division, Asbestos, Indoor Air, Lead, and Radiation Section

DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, And Notice of Hearing If 25 or More Requests For Hearing Are Received

Proposed New Rules Governing Radioactive Materials, *Minnesota Rules*, Chapter 4731, and Repeal of *Minnesota Rules*, Part 4730.1000 and Parts 4730.2580 to 4730.3610

Introduction. The Department of Health intends to adopt rules without a public hearing following the procedures set forth in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. If, however, 25 or more persons submit a written request for a hearing on the rules by 4:30 p.m. on June 16, 2004 a public hearing will be held in the Red River Room, Snelling Office Park, 1645 Energy Park Drive, St. Paul, Minnesota 55118, starting at 9:00 a.m. on June 29, 2004. To find out whether the rules will be adopted without a hearing or if the hearing will be held, you should contact the agency contact person after June 16, 2004 and before June 29, 2004.

Agency Contact Person. Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the agency contact person. The agency contact person is:

George F. Johns, Jr.
Radiation Control Unit
Snelling Office Park
1645 Energy Park Drive, Suite 300
St. Paul, MN 55108-2970
E-mail: george.johns@health.state.mn.us
Phone (651) 642-0492
FAX (651) 643-2152

TTY users may call the Department of Health at (651) 215-8980.

Subject of Rules and Statutory Authority. The proposed rules are about the regulation of radioactive materials. Radioactive materials in Minnesota are currently regulated by two entities. The U.S. Nuclear Regulatory Commission (NRC) regulates nuclear by-product material, which in simple terms is any radioactive material yielded in, or made radioactive by, a nuclear reactor. The Minnesota Department of Health (Department) regulates accelerator-produced and naturally occurring radioactive material. The Department is proposing rules that will allow it to take over regulatory control of nuclear by-product material from the NRC. The transfer of authority would primarily affect current NRC licensees, who use radioactive materials in academic, industrial, medical, and research settings. The Department's authority would not extend to areas of exclusive federal jurisdiction (such as Veteran's Administration facilities) or to the regulation of radioactive material used for the production of nuclear power.

Proposed Rules

The proposed rules borrow heavily from existing NRC regulations, have been recommended by the Agreement State Advisory Council, and are essential for the transfer of regulatory authority from the NRC to the Department. They are necessary to promote and protect the radiological health and safety of the public, employees' health and safety, and the safety of the environment. Certain rules in chapter 4730 will either be made unnecessary by the new rules or be replaced by them, and therefore are being repealed.

The statutory authority to adopt the rules is found in *Minnesota Statutes*, sections 144.1202 and 144.1203. A copy of the proposed rules is available electronically at www.health.state.mn.us/divs/eh/radiation/radioactive. A free copy of the rules is also available from the agency of contact person listed above.

Comments. You have until 4:30 p.m. on Wednesday, June 16, 2004, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on Wednesday, June 16, 2004. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the agency when determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

Withdrawal of Requests. If 25 or more persons submit a valid written request for a hearing, a public hearing will be held unless a sufficient number withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the agency must give written notice of this to all persons who requested a hearing, explain the actions the agency took to effect the withdrawal, and ask for written comments on this action. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

Alternative Format/Accommodation. Upon request, this Notice can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request or if you need an accommodation to make this hearing accessible, please contact the agency contact person at the address or telephone number listed above.

Modifications. The proposed rules may be modified, either as a result of public comment or as a result of the rule hearing process. Modifications must be supported by data and views submitted to the agency or presented at the hearing and the adopted rules may not be substantially different than these proposed rules, unless the procedure under *Minnesota Rules*, part 1400.2110, has been followed. If the proposed rules affect you in any way, you are encouraged to participate in the rulemaking process.

Cancellation of Hearing. The hearing scheduled for June 29, 2004 will be canceled if the agency does not receive requests from 25 or more persons that a hearing be held on the rules. If you requested a public hearing, the agency will notify you before the scheduled hearing whether or not the hearing will be held. You may also call the agency contact person at (651) 642-0492 after June 16, 2004, to find out whether the hearing will be held.

Notice of Hearing. If 25 or more persons submit valid written requests for a public hearing on the rules, a hearing will be held following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The hearing will be held on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge Barbara Neilson is assigned to conduct the hearing. Judge Neilson can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, **telephone** (612) 341-7604, and **FAX** (612) 349-2665.

Hearing Procedure. If a hearing is held, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the close of the hearing record. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. This five day comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the Administrative Law Judge at the hearing. Following the comment period, there is a five working day rebuttal period during which the agency and any interested person may respond in writing to any new information submitted. No additional evidence may be submitted during the five day rebuttal period. All comments and responses submitted to the Administrative Law Judge must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. Questions about procedure may be directed to the Administrative Law Judge.

The agency requests that any person submitting written views or data to the Administrative Law Judge prior to the hearing or during the comment or rebuttal period also submit a copy of the written views or data to the agency contact person at the address stated above.

Proposed Rules

Statement of Need and Reasonableness. A statement of need and reasonableness is now available from the agency contact person. This statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. The statement may also be reviewed and copies obtained at the cost of reproduction from the agency.

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Questions regarding this requirement may be directed to the Campaign Finance and Public Disclosure Board at: Suite 190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone (651) 296-5148 or 1-800-657-3889.

Adoption Procedure if No Hearing. If no hearing is required, the agency may adopt the rules after the end of the comment period. The rules and supporting documents will then be submitted to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date the rules are submitted to the office. If you want to be so notified, or want to receive a copy of the adopted rules, or want to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

Adoption Procedure After a Hearing. If a hearing is held, after the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rules. You may ask to be notified of the date when the Administrative Law Judge's report will become available, and can make this request at the hearing or in writing to the Administrative Law Judge. You may also ask to be notified of the date on which the agency adopts the rules and the rules are filed with the Secretary of State, and can make this request at the hearing or in writing to the agency contact person stated above.

Order. I order that the rulemaking hearing be held at the date, time, and location listed above.

Dated: April 29, 2004

Dianne Mandernach
Commissioner, Minnesota Department of Health

Emergency Rules

Provisions exist for the Commissioners of some state agencies to adopt emergency rules when conditions exist that do not allow the Commissioner to comply with the requirements for emergency rules. The Commissioner must submit the rule to the attorney general for review and must publish a notice of adoption that includes a copy of the rule and the emergency conditions. Emergency rules are effective upon publication in the *State Register*, and may be effective up to seven days before publication under certain emergency conditions. Emergency rules are effective for the period stated or up to 18 months. Specific *Minnesota Statutes* citations accompanying these emergency rules detail the agency's rulemaking authority.

Department of Natural Resources

Division of Ecological Services

Proposed Emergency Rules Relating to Exotic Species and Designated Infested Waters

NOTICE OF INTENT TO ADOPT EMERGENCY RULES

Proposed Emergency Rules Governing Designation of Prohibited Species and Designation of Infested Waters *Minnesota Rules*, parts 6216.0250 and 6216.0350

Introduction. The Minnesota Department of Natural Resources intends to adopt emergency rules following the procedures set forth in *Minnesota Statutes*, sections 84.027, subdivision 13 (a) and (g), and 97A.0451 to 97A.0459. You may submit written comments on the proposed emergency rules within 25 days.

Agency Contact Person. Comments or questions on the rules must be submitted to:

Jay Rendall
Department of Natural Resources
500 Lafayette Road
St. Paul, Minnesota 55155-4025
Telephone: (651) 297-1464.

Subject of Emergency Rules and Statutory Authority. The proposed emergency rules cover the following:

- (1) designation of the northern snakehead (a nonnative fish) as a prohibited exotic species;
- (2) designation of waters infested with Eurasian water milfoil;
- (3) designation of waters infested with spiny water flea; and
- (4) designation of waters infested with zebra mussels.

Emergency Rules

The statutory authority to adopt these rules is *Minnesota Statutes*, section 84D.12, subdivision 3. A copy of the proposed rules is published in the *State Register* and attached to this Notice as mailed.

Comments. You have until 4:30 p.m., June 11, 2004, to submit written data and views on the proposed emergency rules or any part or subpart of the emergency rules. Your comment must be in writing and received by the agency contact person by the due date.

Modifications. The proposed emergency rules may be modified as a result of public comment. The modifications must be supported by data and views submitted to the department. If the proposed emergency rules affect you in any way, you are encouraged to participate in the rulemaking process.

Departmental Charges. *Minnesota Statutes*, section 97A.0453 does not apply because the rules do not establish or adjust department fees.

Adoption and Review of Emergency Rules. After the end of the comment period, the department may adopt the emergency rules. The rules and supporting documents will then be submitted to the attorney general for review as to legality and form to the extent form relates to legality. You may request to be notified of the date the rules are submitted to the attorney general or be notified of the attorney general's decision on the rules. If you wish to be so notified, or you wish to receive a copy of the adopted rules, submit your request to the agency contact person listed above.

Effective Date for Emergency Rules. The emergency rules will take effect five working days after approval by the attorney general and be effective for 18 months.

Dated: May 5, 2004

Gene Merriam
Commissioner of Natural Resources

6216.0250 PROHIBITED EXOTIC SPECIES.

[For text of subs 1 to 2a, see M.R.]

Subp. 3. **Fish.** The following fish are designated as prohibited exotic species:

[For text of items A to H, see M.R.]

- I. northern snakehead (*Channa argus*) Cantor;
- J. white perch (*Morone americana*) Gmelin; and
- ~~K.~~ zander (*Stizostedion lucioperca*) Linnaeus.

[For text of subs 4 and 5, see M.R.]

6216.0350 DESIGNATED INFESTED WATERS.

Subpart 1. **Listing of waters infested with Eurasian water milfoil.** The following water bodies are designated by the commissioner as infested with Eurasian water milfoil (*Myriophyllum spicatum*). Activities at these waters are subject to parts 6216.0100 to 6216.0600, *Minnesota Statutes*, section 84D.13, and other applicable laws.

Name	DNR Protected Waters Inventory Number
A. Anoka County	
(1) Cenaiko Lake	02-0654
(2) Centerville Lake	02-0006
(3) <u>Coon Lake</u>	<u>02-0042</u>
(4) Crooked Lake	02-0084
(4) (5) Lake George	02-0091
(5) (6) Otter Lake	02-0003
(7) <u>Peltier Lake</u>	<u>02-0004</u>
(6) (8) Unnamed lake in Springbrook Nature Center	02-0688
B. Carver County	
(1) Ann Lake	10-0012
(2) Auburn Lake	10-0044
(3) <u>Burandt</u>	<u>10-0084</u>
(4) Bavaria Lake	10-0019
(5) <u>Eagle Lake</u>	<u>10-0121</u>

Emergency Rules

(4) (6) Firemen's Lake	10-0226
(5) (7) Lotus Lake	10-0006
(6) (8) Lake Minnewashta	10-0009
(9) <u>Parley Lake</u>	<u>10-0042</u>
(7) (10) Pierson Lake	10-0053
(8) (11) Riley Lake	10-0002
(9) (12) Schutz Lake	10-0018
(13) <u>Steiger Lake</u>	<u>10-0045</u>
(10) (14) Stone Lake	10-0056
(11) (15) Lake Virginia	10-0015
(12) (16) Lake Waconia	10-0059
(17) <u>Wasserman Lake</u>	<u>10-0048</u>
(13) (18) Lake Zumbra	10-0041
C. Chisago County	
(1) Ellen Lake	13-0047
(2) Green Lake	13-0041
(3) Rush Lake	13-0069
D. Crow Wing County	
(1) Bay Lake	18-0034
(2) <u>Ossawinnamakee Lake</u>	<u>18-0352</u>
(3) <u>Ripple River, between Bay Lake and Tame Fish Lake</u>	<u>18-0000</u>
(4) Ruth Lake	18-0212
E. Dakota County	
(1) Crystal Lake	19-0027
(2) Lac Lavon	19-0347
(3) Lake Marion	19-0026
(4) <u>Schultz Lake</u>	<u>19-0075</u>
(5) <u>Sunset Pond</u>	<u>19-0451</u>
(6) Twin Lakes	19-0028
F. Douglas County	
(1) Oscar Lake	21-0257
G. Hennepin County	
(1) Arrowhead Lake	27-0045
(2) Bass Lake	27-0098
(3) Brownie Lake	27-0038
(4) Bryant Lake	27-0067
(5) Bush Lake	27-0047
(6) Lake Calhoun	27-0031
(7) Cedar Lake	27-0039
(8) Christmas Lake	27-0137
(9) Dutch Lake	27-0181
(10) Eagle Lake	27-0111
(11) Fish Lake	27-0118
(12) Forest Lake	27-0139
(13) <u>Galpin Lake</u>	<u>27-0144</u>

Emergency Rules

(14) <u>(14)</u> Gleason Lake	27-0095
(14) <u>(15)</u> Lake Harriet	27-0016
(15) <u>(16)</u> Hiawatha Lake	27-0018
(16) <u>(17)</u> Lake Independence	27-0176
(17) <u>(18)</u> Lake of the Isles	27-0040
(18) <u>(19)</u> Libbs Lake	27-0085
(19) <u>(20)</u> Little Long Lake	27-0179
(20) <u>(21)</u> Long Lake	27-0160
(21) <u>(22)</u> Medicine Lake	27-0104
(22) <u>(23)</u> Minnehaha Creek	27-0000
(23) <u>(24)</u> Lake Minnetonka	27-0133
<u>(25) Mitchell Lake</u>	<u>27-0070</u>
(24) <u>(26)</u> Niccum's Pond	private
(25) <u>(27)</u> Lake Nokomis	27-0019
(26) <u>(28)</u> Parker's Lake	27-0107
(27) <u>(29)</u> Peavy Lake	27-0138
(28) <u>(30)</u> Lake Rebecca	27-0192
(29) <u>(31)</u> Rice Lake	27-0116
(30) <u>(32)</u> Round Lake	27-0071
(31) <u>(33)</u> Lake Sarah	27-0191
(32) <u>(34)</u> Schmidt Lake	27-0102
(33) <u>(35)</u> Swan Lake	27-0000
(34) <u>(36)</u> Tanager Lake	27-0141
<u>(37) unnamed wetland</u>	<u>27-0900</u>
(35) <u>(38)</u> Whaletail Lake	27-0184
(36) <u>(39)</u> Wirth Lake	27-0037
<u>(40) Wolfe Lake</u>	<u>27-0664</u>
<u>H. Isanti County</u>	
<u>(1) Green Lake</u>	<u>30-0136</u>
<u>I. Itasca County</u>	
(1) Ice Lake	31-0372
(2) McKinney Lake	31-0370
<u>(3) North Twin Lake</u>	<u>31-0190</u>
+ <u>J. Kanabec County</u>	
(1) Knife Lake	33-0028
<u>K. Kandiyohi County</u>	
<u>(1) Green Lake</u>	<u>34-0079</u>
<u>(2) Norway Lake</u>	<u>34-0251</u>
<u>L. Le Sueur County</u>	
<u>(1) East Jefferson Lake</u>	<u>40-0092</u>
<u>(2) German Lake</u>	<u>40-0063</u>
+ <u>M. Meeker County</u>	
(1) Ripley Lake	47-0134
<u>(2) Stella Lake</u>	47-0068
(2) <u>(3) Lake Washington</u>	47-0046
+ <u>N. Mille Lacs County</u>	

Emergency Rules

(1) Lake Mille Lacs	48-0002
(2) from the mouths of each tributary of Lake Mille Lacs upstream to the first public road	48-0000
<u>O. Morrison County</u>	
(1) <u>Lake Alexander</u>	<u>49-0079</u>
H <u>P. Olmsted County</u>	
(1) George Lake	55-0008
<u>Q. Pine County</u>	
(1) <u>Sand Lake</u>	<u>58-0081</u>
M <u>R. Pope County</u>	
(1) Gilchrist Lake	61-0072
(2) Lake Minnewaska	61-0130
N <u>S. Ramsey County</u>	
(1) Bald Eagle Lake	62-0002
(2) Lake Gervais	62-0007
(3) Island Lake	62-0075
(4) Keller Lake	62-0010
(5) <u>Kohlmans Lake</u>	<u>62-0006</u>
(6) <u>Loeb Lake</u>	<u>62-0231</u>
(7) <u>McCarron Lake</u>	<u>62-0054</u>
(8) <u>Lake Owasso</u>	<u>62-0056</u>
(9) <u>Phalen Lake</u>	62-0013
(6) (10) Round Lake	62-0012
(7) (11) Silver Lake	62-0001
(12) <u>Snail Lake</u>	<u>62-0073</u>
(8) (13) Spoon Creek, between Keller and Phalen Lakes	62-0000
(9) (14) Sucker Lake	62-0028
(15) <u>Turtle Lake</u>	<u>62-0061</u>
(16) <u>unnamed</u>	<u>62-0271</u>
(10) (17) Lake Vadnais	62-0038
(11) (18) Lake Wabasso	62-0082
<u>T. Rice County</u>	
(1) <u>Cedar Lake</u>	<u>66-0052</u>
Θ <u>U. St. Louis County</u>	
(1) Gilbert Pit Lake	69-1306
(2) <u>Horseshoe Lake</u>	<u>69-0503</u>
P <u>V. Scott County</u>	
(1) Lower Prior Lake	70-0026
(2) <u>O'Dowd Lake</u>	<u>70-0095</u>
(3) <u>Thole Lake</u>	<u>70-0120</u>
(4) <u>Upper Prior Lake</u>	<u>70-0072</u>
<u>W. Sherburne County</u>	
(1) <u>Little Elk Lake</u>	<u>71-0055</u>
ϙ <u>X. Stearns County</u>	

Emergency Rules

- (1) unnamed wetland along
Clearwater River 73-0312
- ~~R.~~ Y. Todd County
 - (1) Little Birch Lake 77-0089
 - (2) Sauk Lake 77-0150
- ~~S.~~ Z. Washington County
 - (1) Powers Lake 82-0092
 - (2) White Bear Lake 82-0167
 - (3) St. Croix River 82-0001
 - (4) Sunset Lake 82-0153
- ~~T.~~ AA. Wright County
 - (1) Augusta Lake 86-0284
 - (2) Beebe Lake 86-0023
 - (3) Buffalo Lake 86-0090
 - (4) Clearwater Lake 86-0252
 - (5) Clearwater River,
downstream of Clearwater Lake 86-0000
 - (6) Deer Lake 86-0107
 - (7) Fish Lake 86-0183
 - (8) French Lake 86-0273
 - (9) Goose Lake 86-0108
 - (10) Howard Lake 86-0199
 - (11) Indian Lake 86-0223
 - (12) Lake Mary 86-0156
 - (13) Mink Lake 86-0088
 - ~~(7)~~ (14) Little Waverly Lake 86-0106
 - ~~(8)~~ (15) Lake Pulaski 86-0053
 - (16) Ramsey Lake 86-0120
 - ~~(9)~~ (17) Rock Lake 86-0182
 - ~~(10)~~ (18) Sugar Lake 86-0233
 - ~~(11)~~ (19) Waverly Lake 86-0114
 - ~~(12)~~ (20) Weigand Lake 86-0242
- ~~U.~~ BB. Multiple counties
 - (1) Mississippi River,
downstream of St. Anthony Falls

[For text of subps 2 and 3, see M.R.]

Subp. 4. **Listing of waters infested with spiny water flea.** The following water bodies are designated by the commissioner as infested with spiny water flea (*Bythotrephes cederstroemi*). Activities at these waters are subject to parts 6216.0100 to 6216.0600, *Minnesota Statutes*, section 84D.13, and other applicable laws.

- | Name | DNR Protected Waters
Inventory Number |
|---|--|
| A. <u>Cook County</u> | |
| (1) <u>Lake Saganaga</u> | <u>16-0633</u> |
| B. <u>St. Louis County</u> | |
| (1) Fish Lake | 69-0491 |
| (2) Island Lake | 69-0372 |
| B. <u>C.</u> Multiple Counties | |

Emergency Rules

- (1) Lake Superior 16-0001
- (2) Cloquet River from
Island Lake to the
St. Louis River
- (3) St. Louis River, downstream
of the Cloquet River

[For text of subp 5, see M.R.]

Subp. 6. **Listing of waters infested with zebra mussels.** The following water bodies are designated by the commissioner as infested with zebra mussels (*Dreissena* spp.). Activities at these waters are subject to parts 6216.0100 to 6216.0600, *Minnesota Statutes*, section 84D.13, and other applicable laws.

Name	DNR Protected Waters Inventory Number
<u>A. Crow Wing</u>	
(1) <u>Ossawinnamakee Lake</u>	<u>18-0352</u>
(2) <u>Pelican Brook</u>	<u>18-0000</u>
<u>B. Olmsted County</u>	
(1) <u>Lake Zumbro</u>	<u>55-0400</u>
<u>C. Washington County</u>	
(1) <u>St. Croix River, downstream of the St. Croix Boomsite Recreation Area, managed by Minnesota Department of Transportation, at river mile 25.4</u>	
<u>D. Multiple Counties</u>	
(1) Lake Superior	16-0001
(2) Mississippi River, downstream of St. Anthony Falls	
(3) St. Louis River, downstream of the Fond du Lac dam	
(4) <u>Zumbro River, downstream of Lake Zumbro</u>	

Official Notices

Pursuant to Minnesota Statutes § 14.101, an agency must first solicit comments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking. The *State Register* also publishes other official notices of state agencies and non-state agencies, including notices of meetings and matters of public interest.

Department of Commerce

Energy and Telecommunications Division

Office of Energy Assistance Programs

Notice of Public Hearing and Comment Period for the 2005 Energy Assistance Program, Minnesota Department of Commerce

THE PUBLIC IS INVITED TO COMMENT on the proposed Minnesota state plan for the Energy Assistance Program for federal fiscal year 2005 at a public hearing or through written comment. The hearing will be held June 16, 2004, from 3:00 p.m. to 5:00 p.m. in Hearing Room 5, State Office Building, 100 Rev. Martin Luther King, Jr., Blvd., St. Paul, Minnesota. Written comment must be received at the address below by 5:00 p.m. on June 16, 2004.

The FY 2004 Energy Assistance Plan describes how federal LIHEAP funds will be used to help low-income households pay home heating bills and conserve energy. Comments received at the public hearings and in writing during the comment period will be considered in the development of the state plan. Comments may also address implementation of eHEAT, the Energy Assistance software system scheduled to go on line October 1, 2004. The proposed state plan is available for viewing or downloading at www.state.mn.us, the main site for the State of Minnesota. Type "Energy Assistance" in the search field, top right. Select *Minnesota Commerce : Energy Assistance Program*, then *Provider Resources* (from the list on the left)>*State Plan*>*DRAFT LIHEAP State Plan FY 2005*. Information about eHEAT is available at the same site: Type *Energy Assistance* in the search field, top right. Select *Minnesota Commerce : Energy Assistance Program*, then *eHEAT Project* (see the list on the left).

Written comments may be sent to:

John Harvanko, Director
Office of Energy Assistance Programs
Department of Commerce
85 7th Place East, Suite 500
St. Paul, MN 55101-2198
john.harvanko@state.mn.us
phone (651) 284-3275
fax (651) 284-3277

Minnesota Comprehensive Health Association

Notice of Meeting of the Finance Committee

NOTICE IS HEREBY GIVEN that a meeting of the Minnesota Comprehensive Health Association's (MCHA), Finance Committee will be held at 9:00 a.m. on Friday, May 21, 2004. The meeting will take place at the MCHA executive office located at 5775 Wayzata Blvd., Suite 910, St. Louis Park, MN.

For additional information, please call Lynn Gruber at (952) 593-9609.

Emergency Medical Services Regulatory Board

NOTICE OF COMPLETED APPLICATION: In the Matter of the License Application of the Greater Staples Ambulance Service, Staples, Minnesota

PLEASE TAKE NOTICE that the Emergency Medical Services Regulatory Board (hereinafter EMSRB) has received a completed application from the **Greater Staples Ambulance Service, Staples, Minnesota**, for a new license, part-time advanced ambulance.

NOTICE IS HEREBY GIVEN that, pursuant to *Minnesota Statutes* section 144E.11, subdivision 3, each municipality, county, community health board, governing body of a regional emergency medical services system, ambulance service and other person wishing to make recommendations concerning the disposition of the application, shall make written recommendations or comments

Official Notices

opposing the application to the EMSRB within 30 days or by June 18, 2004, 4:30 p.m.

Written recommendations or comments opposing the application should be sent to: Mary Hedges, Executive Director, EMSRB, 2829 University Avenue S.E., Suite 310, Minneapolis, Minnesota 55414-3222.

If fewer than six comments opposing the application are received during the comment period, and the EMSRB approves the application, the applicant will be exempt from a contested case hearing, pursuant to *Minnesota Statutes* section 144E.11, subdivision 4. If six or more comments in opposition to the application are received during the comment period or the EMSRB denies the application, the applicant may immediately request a contested case hearing, or may try to resolve the objections of the public and/or the EMSRB within 30 days, pursuant to *Minnesota Statutes* section 144E.11, subdivision 5(a), (b). If the applicant is unable to resolve the objections within 30 days, or if the applicant initially requests a contested case hearing one will be scheduled and notice of the hearing given pursuant to *Minnesota Statutes* section 144E.11, subdivision 5(c), (e).

Dated: 5 May 2004

Mary F. Hedges, Executive Director

Minnesota Department of Labor and Industry

Division of Workers' Compensation

REQUEST FOR COMMENTS on Possible Amendment to Rules Governing Workers' Compensation Vocational Rehabilitation, *Minnesota Rules*, parts 5220.0100 to 5220.1900

Subject of Rules. The Minnesota Department of Labor and Industry requests comments on its possible amendment to rules governing vocational rehabilitation services for injured workers. The department is considering rule amendments to the rules in parts 5220.0100 to 5220.1900, including but not limited to rules governing filing of rehabilitation documents; forms and reporting procedures; disability status reports; waivers of rehabilitation services; rehabilitation consultations; a penalty for an insurer's failure to timely provide a rehabilitation consultation; the rate paid to injured workers for mileage expense for employment related travel; rehabilitation plan progress reports and plan amendments; employee choice and change of qualified rehabilitation consultant (QRC); closure of rehabilitation; filing rehabilitation requests for assistance and rehabilitation responses; qualifying criteria for QRCs and QRC interns; the procedure and documentation for registration for QRCs, QRC firms, QRC vendors and QRC interns; professional conduct of a QRC; communication between rehabilitation providers and other participants in the workers' compensation system, including certified managed care plans; and the rate of pay for QRC travel time.

Persons Affected. The amendments to the rules would likely affect injured workers; employers of injured workers; workers' compensation insurers and self-insured employers; and qualified rehabilitation consultants, interns, firms and vendors; and certified managed care plans.

Statutory Authority. *Minnesota Statutes*, sections 176.102, subd. 2 and 176.83, subs. 1, 2 and 15, which give the commissioner the authority to promulgate rules necessary to implement and administer section 176.102; rules for penalties against payers who fail to provide rehabilitation consultations as required by law; rules for providing rehabilitation consultations; forms and other reporting procedures related to rehabilitation services; and rules limiting fees charged by QRCs and vendors.

Public Comment. Interested persons or groups may submit comments or information about these possible rules in writing or by e-mail to the agency contact person listed below until further notice is published in the *State Register* that the department intends to adopt or to withdraw the rules.

The Rehabilitation Review Panel, established pursuant to *Minnesota Statutes* § 176.102, subd. 3, provides recommendations to the department about the possible rule amendments. The next meeting of the Rehabilitation Review Panel at which the proposed rule amendments will be discussed is scheduled for July 1, 2004 at 1:00 p.m. at the Department of Labor and Industry. Check the department's Web site for changes to the meeting schedule for the Rehabilitation Review Panel at <http://www.doli.state.mn.us/rrp.html>.

Rules Drafts. The Department has prepared a draft of the possible rule amendments. The draft is available on the department Web site at <http://www.doli.state.mn.us/rehabrulesdraft.pdf>.

Agency Contact Person. Written comments, questions, and requests for more information on these possible rules should be directed to Ed Spitzer, Compliance Services, Minnesota Department of Labor and Industry, 443 Lafayette Road, St. Paul, MN 55155. Comments can also be submitted to Mr. Spitzer by **phone** at (651) 284-5258; by **FAX** at (651) 284-5729; or by **e-mail** at ed.spitzer@state.mn.us. **TTY** users may call the Department at (651) 297-4198.

Alternative Format. Upon request, this Request for Comments can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request, please contact the agency contact person at the address or telephone number listed above.

NOTE: This notice replaces an earlier notice published in the *State Register* on September 1, 1999. Comments received in response to this notice or the 1999 notice will not necessarily be included in the formal rulemaking record submitted to the admin-

Administrative law judge when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed. If you submitted comments during the development of the rules and you want to ensure that the Administrative Law Judge reviews the comments, you should resubmit the comments after the rules are formally proposed.

Dated: 11 May 2004

Metropolitan Council

Notice of Public Hearing to Review Proposed Strategies to Address Cuts in Funding for the Section 8 Housing Choice Voucher Program

The Metropolitan Council's Community Development Committee will conduct a public hearing to receive comment on the strategies to address the cuts in federal funding for the Section 8 Housing Choice Voucher Program including revision to the 2004 Public Housing Agency (PHA) Plan as required by regulation.

The public hearing will be held:

- 4:00 p.m. on Monday, July 19, 2004
- Metropolitan Council
- Room 1A
- Mears Park Centre Building
- 230 East Fifth Street
- St. Paul, MN 55101

A summary of the proposed program changes for the Section 8 Housing Choice Voucher Program are available for public review at the HRA administrative offices located at 230 East Fifth Street in St. Paul, and on the Metropolitan Council's website at www.metrocouncil.org. All interested persons are encouraged to attend the hearing and offer comments. People may register in advance to speak by **calling Sue Putz at (651) 602-1584 or TTY at (651) 291-0904**. Upon request, the Council will provide a reasonable accommodation to persons with disabilities.

Metropolitan Council Environmental Services

Public Meeting on Proposed Rate Changes for Load Charges for Hauled Liquid Waste

TUESDAY, JUNE 22, 2004, 3:00 p.m.

Mears Park Centre, Room 1A, 230 E. Fifth St., St. Paul, MN 55101

Metropolitan Council Environmental Services (MCES) will hold a public meeting on proposed changes to the calculation methodology for load charge rates for hauled liquid waste on Tuesday, June 22, 2004. MCES staff will make a presentation on the proposed changes and solicit comments from the public. MCES staff will:

- Describe the current methodology for determining load charges and explain the proposed changes to the formula for computing load charges so that the full cost of service for disposal, conveyance, and treatment of hauled liquid waste is covered.
- Explain the plan for recovery of costs that will be incurred to build or upgrade disposal sites (weighing stations, access card readers, tanks, cameras, gates, etc.).
- Explain the proposal to implement formula changes on Jan. 1, 2005, and implement rate increases to recover facility costs after these new facilities are put into operation.

Rate increases from changing the calculation methodology for load charges will raise sufficient revenue to fully cover all MCES costs of service associated with accepting, conveying and treating hauled liquid waste. Note that these changes are revenue neutral to MCES; the increased revenue from the liquid waste haulers will reduce the Municipal Wastewater charges that otherwise would be paid by the users connected to the metropolitan disposal system.

Comments received at the meeting will be summarized and considered prior to final action on the proposed changes by the Metropolitan Council, anticipated in late July or early August 2004.

Additional information on the proposed changes is available from Leo Hermes at Metropolitan Council Environmental Services (see address and phone below).

All interested persons are encouraged to attend the meeting and provide comments.

Official Notices

You also may submit comments, which must be *received* by MCES no later than July 2, 2004:

- Send written comments to: Leo Hermes, Metropolitan Council Environmental Services, 230 E. Fifth St., St. Paul, MN 55101
- Fax comments to: Leo Hermes at (651) 602-4730
- Record comments on: Metropolitan Council Public Comment Line at 651-602-1500
- E-mail comments to: data.center@metc.state.mn.us
- Send TTY comments to (651) 291-0904

Upon request, the Council will provide reasonable accommodations to persons with disabilities. Please submit such requests to Leo Hermes via mail or fax (see above) or by phone at (651) 602-4701 before June 15, 2004.

Minnesota Pollution Control Agency

Environmental Outcomes Division

REQUEST FOR COMMENTS on Possible Amendments to Rules Governing State Water Quality Standards, *Minnesota Rules* Chapters 7050 and 7052

NOTICE IS HEREBY GIVEN that the Minnesota Pollution Control Agency (MPCA) is seeking opinions, information and comments from the public on plans for amending state water quality standards found in *Minnesota Rules* Chapters 7050 and 7052.

Subject of Rules. *Minnesota Rules* Chapter 7050 includes provisions that protect Minnesota's lakes, rivers, streams, wetlands and ground water from pollution. It assigns to all waters of the state the beneficial uses Minnesotans expect our water resources to provide, such as drinking, fishing, swimming, aesthetics, and industrial and agricultural uses. *Minnesota Rules* Chapter 7050 also includes narrative and numeric water quality standards designed to protect these uses, nondegradation requirements to protect high quality waters, discharge limits for city and industrial wastewater treatment plants, and other provisions to protect water resources. *Minnesota Rules* Chapter 7052 contains similar provisions, but is applicable only to waters in the Lake Superior basin. Minnesota's water rules can be found on the Web at: http://www.pca.state.mn.us/water/water_mnrules.html

The federal Clean Water Act requires states to review their water quality standards every three years and to amend and update them if necessary. The MPCA is planning to propose changes to certain numeric water quality standards in *Minnesota Rules* Chapters 7050 and 7052, and to other aspects of *Minnesota Rules* Chapter 7050, as listed below. The MPCA requests comments and opinions on these plans from the public.

This is the second notice soliciting comments on these amendments. The first notice was published in the *State Register* on November 10, 2003 (28 SR 614; http://www.comm.media.state.mn.us/bookstore/stateregister/28_19.pdf.) The MPCA plans to formally propose these amendments in the *State Register* and hold public hearings early in 2005. The goal for completing this rule-making is July 2005.

The MPCA has not determined the exact scope of proposed amendments to these rules, but is considering the amendments listed in items A and B below. Please note that as the MPCA develops this rulemaking it may identify additional rule parts that need to be amended in Chapters 7050 and 7052.

A. Addition and Revision of Numeric Water Quality Standards

1. The addition of eutrophication (nutrient) water quality standards for lakes. These new standards will help protect lakes from the negative impacts of excess nutrient loading, such as excess growth of algae (algae blooms), loss of water clarity, and loss of recreational value. The increase in abundance and growth of algae and other aquatic plants in lakes, in response to increased nutrients (usually total phosphorus), is called "eutrophication".
 - a) Proposed eutrophication standards will vary depending on the region of the state (called ecoregions) in which the lake is located.
 - b) Proposed eutrophication standards will include values for:
 - 1) total phosphorus (the nutrient of most concern),
 - 2) chlorophyll-a (a green pigment that measures the abundance of algae), and
 - 3) Secchi disk transparency (a measurement of the water clarity).
 - c) High quality lakes that have better water quality than the standards will be protected through application of nondegradation provisions.
 - d) Lakes with poor water quality will be considered to be meeting standards if the poor quality is due to natural causes.
2. Replace the current state-wide water quality standard for mercury which applies in water with a standard which applies to fish tissue, based on guidance from the U.S. Environmental Protection Agency (EPA). It is the consumption of fish that is

the primary source of mercury to people in Minnesota.

3. Update as many as 35 water quality standards in *Minnesota Rules* Chapter 7050 and as many as 14 standards in *Minnesota Rules* Chapter 7052. All of these standards (Class 2) are set at concentrations in water that protect people that eat sport-caught fish, and drink the water if that surface water is used for both recreation and a source of drinking water. The MPCA is planning to use additional factors in the calculation of these standards to better protect children. Early development in infants and children can be a period of enhanced sensitivity to the harmful effects of chemicals. Also, infants and children have a greater chance for exposure to chemicals because they eat and drink more on a per body weight basis than do adults. Use of these factors will make the standards more stringent, if other variables stay the same. The MPCA is following the lead of the Minnesota Department of Health in providing extra protection for children in the determination of standards.
4. If staff resources and time permit, the MPCA is planning to develop standards for one or two agricultural herbicides currently in use in Minnesota. This work will be done in cooperation with the Minnesota Department of Agriculture and their pesticide monitoring program. The candidate herbicides have not yet been selected.
5. Replace the existing fecal coliform standard with an *Escherichia (E.) coli* standard. Both standards protect surface waters for swimming and other water recreational activities, and the change to an *E. coli* standard will not alter the level of protection currently provided to swimmers.

B. Additional proposed amendments

1. Define the terms “reservoir” and “affects” in the context of the 1 milligram per liter (mg/L) phosphorus effluent limit in *Minnesota Rules* 7050.0211, subp. 1a. This change was requested by four organizations representing cities throughout Minnesota. In addition to defining these terms, the MPCA is considering requiring all new or expanding dischargers to meet the 1 mg/L phosphorus effluent limit after January 2006, if they discharge more than 1,800 pounds of phosphorus per year. This change is in keeping with the MPCA’s “Phosphorus Strategy” which established goals to reduce phosphorus loading to surface waters, and it outlines a consistent approach to interpreting *Minnesota Rules* 7050.0211, subp. 1a. The Phosphorus Strategy was approved by the MPCA Board in March, 2000.
2. *Minnesota Session Laws* Chapter 128, Sec. 156 (passed in 2003) requires the MPCA to: define terms in existing narrative standards, outline an administrative process for any person to demonstrate that a beneficial use does not exist in a given water body, and clarify factors affecting the assessment of nutrient inputs to reservoirs.
3. Reorganize and split *Minnesota Rules* Chapter 7050 into two rules to make it easier to read and understand.
4. Update the list of trout waters listed in *Minnesota Rules* 7050.0470 to reflect the most recent list of waters designated as trout streams or trout lakes from the Minnesota Department of Natural Resources.
5. Propose additional calcareous fens and waters in certain designated Scientific and Natural Areas as Outstanding Resource Value Waters (ORVW). ORVWs receive extra protection from point and nonpoint sources of pollution.
6. Propose to reclassify approximately 10 specific water bodies as Limited Resource Value Waters. The aquatic community and recreational opportunities in Limited Resource Value Waters is limited by the lack of water, poor habitat and significant human-caused alterations.
7. Several non-substantive “housekeeping” changes.

In addition to the items listed above, the MPCA is considering revising the chlorides standard of 100 mg/L that protects industrial users of surface waters (Class 3B). If the MPCA changes this standard, it very likely will become more lenient. Also, if staff resources and time permit, the MPCA may consider revising the standards that protect surface waters for agricultural uses, specifically for protection of irrigation (Class 4A) and for livestock watering (Class 4B). The MPCA is interested in the public’s ideas, opinions and comments on these tentative plans.

The MPCA had planned to revise the current ammonia water quality standard. This standard protects aquatic life from the toxic effects of ammonia. Treated sewage from municipal waste water treatment plants is a major source of ammonia to surface waters. Recently published information on the effects of ammonia on freshwater mussels (clams) indicates that this group of organisms may be very sensitive to ammonia. However, until these results can be substantiated, and the EPA has had time to evaluate all the new data, and because of possible added treatment costs resulting from a more stringent ammonia standard, the MPCA is postponing its plans to revise this standard.

Persons Affected. The possible amendments to the rules would likely affect municipal and industrial dischargers to waters of the state, local and state-wide lake associations, the agricultural community, and members of the general public who benefit from protection of Minnesota’s lakes, rivers and wetlands. Because the revisions under consideration are applicable state-wide, any person in Minnesota may potentially be affected by changes made to these rules.

Statutory Authority. The MPCA has general authority to promulgate and/or revise the water quality rules under *Minnesota Statutes* § 115.03, Subdivision 1(e) and *Minnesota Statutes* § 115.44.

Official Notices

Public Comment. Interested persons or groups may submit comments or information on these possible rule amendments in writing or orally until 4:30 p.m. on June 30, 2004. Oral statements will be received during regular business hours. All written comments received will become part of the rulemaking record. The MPCA does not anticipate appointing a formal advisory committee to comment on the possible rule amendments; however, the MPCA plans to conduct the public meetings listed below to provide additional opportunity for interested and affected parties to have input on the possible rule amendments. Meetings are scheduled as follows:

June 7, Monday Evening, 7:00 to 9:00 PM, Duluth

Large Conference Room
MPCA Duluth Office
525 Lake Ave. South, Suite 400
Duluth, MN

June 8, Tuesday Afternoon, 1:30 to 4:00 PM, Brainerd

Large Conference Room
MPCA Brainerd Office
7678 College Road, Suite 105
Baxter, MN 56425

June 9, Wednesday Afternoon, 1:30 to 4:00 PM, Detroit Lakes

Conference Room
MPCA Detroit Lakes Office
714 Lake Ave., Suite 220
Detroit Lakes, MN 56425

June 10, Thursday Afternoon, 1:30 to 4:00 PM, Marshall

Large Conference Room
MPCA Marshall Office
1420 E. College Drive, Suite 900
Marshall, MN 56258

**June 14, Monday Afternoon, 1:30 to 4:00 PM, and
June 15, Tuesday Evening, 7:00 to 9:00 PM, St. Paul**

MPCA Board Room, Lower Level
MPCA St. Paul Office
520 Lafayette Road N.
St. Paul, MN 55155

June 16, Wednesday Afternoon, 1:30 to 4:00 PM, Rochester

Large Conference Room
MPCA Rochester Office
18 Wood Lake Drive SE
Rochester, MN 55904

The St. Paul and all Regional Offices can be reached toll free at 800-657-3864. Additional information and directions on getting to all MPCA Regional Offices can be found on this Web site: <http://www.pca.state.mn.us/about/rem.html>

Additional information on the MPCA's plans to revise water quality standards can be obtained at: <http://www.pca.state.mn.us/water/standards/rulechange.html>. Information on water quality standards in general can be obtained at: <http://www.pca.state.mn.us/water/standards/index.html>

Rule Drafts. The MPCA has not yet prepared a draft of the possible rule amendments.

Agency Contact Person. Any interested party or group is encouraged to submit ideas, comments or opinions on the proposal outlined above. Written and oral comments or requests for more information should be directed to:

David E. Maschwitz
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, MN 55155-4194
Telephone: (651) 296-7255
Fax: (651) 297-7709
MN Toll Free: 1-800-657-3864
E-mail: david.maschwitz@pca.state.mn.us

Official Notices

TTY users may call the MPCA teletypewriter at (651) 282-5332 or 1-800-657-3864

Alternative Format. Upon request, this Request for Comments can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request, please contact the MPCA contact person at the address or telephone number listed above.

NOTE: Comments received in response to this notice will be included in the formal rulemaking record submitted to the administrative law judge.

Dated: 5 May 2004

Sheryl A. Corrigan
Commissioner
Minnesota Pollution Control Agency

Minnesota Pollution Control Agency

Majors and Remediation Division

Estimated Mercury Emissions in Minnesota for 1990, 1995, and 2000

To provide a baseline for assessing progress on mercury-reduction efforts, *Minnesota Statutes* § 116.915, requires that the Minnesota Pollution Control Agency (MPCA) publish updated estimates of 1990 mercury releases. A draft of our most current estimates, or "inventory," of 1990 releases in Minnesota (due to human activities) is provided below. To evaluate trends, estimates for 1995 and 2000 are provided as well.

The data show that total mercury emissions in Minnesota declined significantly from 1990 to 2000, by about 68 percent. In 1990, emissions are estimated to have been 11,272 pounds. By 2000, mostly due to discontinued use of mercury in products and mandated controls on incineration of solid waste, emissions were just 3,638 pounds. This trend in reduced emissions is most likely a national or even international trend. Sediment core studies from lakes in Minnesota and elsewhere show slight declines in atmospheric deposition relative to a peak in the 1970s and 1980s. There is some evidence that concentrations of mercury in fish have also declined, but not to the point of significantly reducing concerns about fish consumption. However, it is encouraging that efforts to reduce the use and release of mercury appear to have resulted in measurable environmental improvement.

Mercury emitted to the atmosphere due to human activities is divided by the MPCA into three categories: (1) emissions incidental to energy production, (2) emissions due to purposeful use, and (3) emissions due to material processing.

A more detailed version of this inventory, including explanations of each subcategory listed in the table below, is available on the MPCA's web site at <http://www.pca.state.mn.us/air/mercury.html#reports>.

Mercury Emission Inventory for Minnesota (pounds per year)

Date of Estimate: March 2004

	confidence level	1990	1990	1990	1995	1995	1995	2000	2000	2000
		(best)	Min.	Max.	(best)	Min.	Max.	(best)	Min.	Max.
Incidental to Energy Production										
Coal combustion (total)	high	1,518.6	1,366.7	1,670.4	1,612.1	1,450.9	1,773.3	1,648.7	1,483.8	1,813.6
electric utility coal	high	1,418.3	1,276.5	1,560.2	1,512.8	1,361.5	1,664.1	1,544.8	1,390.3	1,699.2
commercial/industrial coal	medium	60.8	45.6	76.0	68.5	51.3	85.6	73.4	55.0	91.7
public utility / university & college heating	medium	39.0	29.3	48.8	30.5	22.8	38.1	30.2	22.6	37.7
residential coal	medium	0.4	0.3	0.5	0.4	0.3	0.5	0.4	0.3	0.5
Petroleum Product Refining and Consumption	low	136.0	68.0	204.0	156.0	78.0	234.0	175.0	87.5	262.5
Wood combustion	high	12.5	11.3	13.8	10.5	9.4	11.5	10.0	9.0	11.0
Natural gas combustion	low	0.2	0.1	0.5	0.3	0.1	0.6	0.3	0.1	0.6
Subtotal incidental with energy production		1,667.4	1,446.1	1,888.7	1,778.9	1,538.5	2,019.4	1,834.0	1,580.5	2,087.6
	% of total state emissions	15%			42%			50%		
Largely Resulting from the Purposeful Use of Mercury										
Latex paint volatilization	medium	2850.0	2137.5	3562.5	2.8	2.1	3.5	0.0	0.0	0.0
Municipal solid waste combustion	high	1806.4	1625.8	1987.0	633.9	570.5	697.2	168.6	151.7	185.4
On-site household waste incineration	low	402.0	201.0	603.0	93.0	46.5	139.5	60.0	30.0	90.0
Medical waste incineration	high	516.0	464.4	567.6	36.0	32.4	39.6	6.1	5.5	6.7
Sewage sludge incineration	med.	247.0	185.3	308.8	160.0	120.0	200.0	112.0	84.0	140.0
Fluorescent lamp breakage	low	272.3	136.2	408.5	59.4	29.7	89.1	32.2	16.1	48.3
Class IV incinerators	low	55.2	27.6	82.8	28.0	14.0	42.0	0.0	0.0	0.0
Crematories	low	30.8	15.4	46.2	49.5	24.8	74.3	68.2	34.1	102.3
General laboratory use	low	44.0	22.0	66.0	44.0	22.0	66.0	22.0	11.0	33.0
Dental preparations	low	103.0	51.5	154.5	99.0	49.5	148.5	95.0	47.5	142.5
Hazardous waste incineration	medium	5.0	3.8	6.3	5.0	3.8	6.3	5.0	3.8	6.3

Official Notices

Landfill volatilization	low	5.9	2.9	8.8	2.2	1.1	3.3	2.4	1.2	3.6
Recycling mercury from products within MN	medium	3.5	2.6	4.4	35.0	26.3	43.8	50.0	37.5	62.5
Minimills that recycle cars and appliances	medium	186.0	139.5	232.5	186.0	139.5	232.5	176.0	132.0	220.0
Volatilization from dissipative use	low	0.8	0.4	1.2	0.8	0.4	1.2	0.8	0.4	1.2
Golf course fungicide volatilization	low	1487.0	743.5	2230.5	1.0	0.5	1.5	1.0	0.5	1.5
Volatilization from spills and land dumping	low	54.7	27.3	82.0	48.0	24.0	72.0	48.0	24.0	72.0
Volatilization during solid waste collection & processing	low	805.5	402.7	1208.2	251.5	125.8	377.3	195.9	98.0	293.9
Volatilization: land application of compost	low	2.2	1.1	3.3	1.3	0.7	2.0	0.3	0.1	0.4
Volatilization: land application of sludge	low	3.6	1.8	5.4	1.8	0.9	2.7	1.4	0.7	2.1
Subtotal associated with purposeful use of mercury		8,880.8	6,192.2	11,569.3	1,738.2	1,234.3	2,242.2	1,044.8	678.0	1,411.6
% of total state emissions		79%			41%			29%		
Emissions Incidental to Material Processing										
Taconite processing	high	710.5	639.5	781.6	742.3	668.1	816.5	745.4	670.8	819.9
Pulp and paper manufacturing	low	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Soil roasting	low	13.3	6.7	26.6	13.3	6.7	26.6	13.3	6.7	26.6
Subtotal emissions incidental to material processing		723.8	646.1	808.2	755.6	674.7	843.1	758.7	677.5	846.5
% of total state emissions		6%			18%			21%		
GRAND TOTAL =		11,272.0	8,284.5	14,266.2	4,272.7	3,447.5	5,104.8	3,637.5	2,936.0	4,345.7
Percent Reduction since 1990					62%			68%		

Background

Mercury contamination of fish is a well-documented problem in Minnesota. The Minnesota Department of Health advises people to restrict their consumption of sport fish due to mercury on virtually every lake tested. Testing of fish preserved in museums in the 1930s compared to similar fish from the same lakes in the 1980s showed that fish became significantly more contaminated with mercury, roughly in concert with increased atmospheric loading of mercury to lakes, which is about three times higher than natural conditions. Although the data are limited, there is some evidence that other factors may have exacerbated the increase in mercury in fish. The fish in Brule Lake in the Boundary Waters Canoe Area (BWCA), for example, have increased by a factor of about 10, when the increase due to mercury alone would be expected to be about three.

Nearly all - probably about 98 percent - of the mercury in Minnesota lakes and rivers comes from the atmosphere. Consequently, the data presented here only include releases to the atmosphere. About 30 percent of mercury in the atmosphere is the result of the natural cycling of mercury. But 70 percent of the mercury is a result of human activities that have increased the release of mercury from the geological materials in which it had been locked up. These activities include the mining of mercury ores, the use of this mercury in products and manufacturing, and the incidental release of trace concentrations of mercury naturally present in coal, crude oil, and metal ores, such as taconite.

Because mercury vapor can be transported long distances by the atmosphere, most of Minnesota's emissions are deposited in other states and countries, and Minnesota receives some of their emissions. In rural Minnesota, about 10 percent of mercury deposition is the result of emissions within the state. Further research and analysis is needed to determine if there is enhanced mercury deposition in the urban area surrounding Minneapolis and St. Paul.

State Grants & Loans

In addition to requests by state agencies for technical/professional services (published in the State Contracts Section), the *State Register* also publishes notices about grants and loans available through any agency or branch of state government. Although some grant and loan programs specifically require printing in a statewide publication such as the *State Register*, there is no requirement for publication in the *State Register* itself. Agencies are encouraged to publish grant and loan notices, and to provide financial estimates as well as sufficient time for interested parties to respond.

Department of Health

Health Economics Program

Request for Proposals for Clinical Dental Education Innovations Grants

The Minnesota Department of Health (MDH) is soliciting proposals for grants to sponsoring institutions and clinical dental training sites for projects that increase dental access for underserved populations and promote innovative clinical training of dental professionals. MDH has \$2,167,711 available for grants. For one-year awards, funds must be spent by **June 30, 2005**. Multiple-year

State Grants & Loans

proposals will be considered subject to availability of funds and the nature of the project. Eligible applicants include institutions that sponsor accredited clinical dental education programs, institutions that sponsor or are developing interdisciplinary clinical training programs that include accredited dental education, clinical training sites that host dental professionals and are currently enrolled as active Medicaid providers, or consortia consisting of members of one or both groups. Potential uses of grant funds include funding or expansion of existing programs with demonstrated success in providing dental services to underserved populations and development or implementation of new programs designed to improve access for underserved populations in Minnesota through the use of dental residents or students.

To be considered for funding, proposals must be received by **4:30 p.m., Friday, July 2, 2004** at the Minnesota Department of Health, 121 East Seventh Place, Suite 400, St. Paul, MN 55101, attention Diane Rydrych. Emailed or faxed proposals will not be accepted. **Late proposals will not be considered.** A copy of the full Request for Proposals may be obtained at <http://www.health.state.mn.us/divs/hpsc/hep/merc/innvinfo.htm>. Click on "Request for Proposals: FY2005 Clinical Dental Education Innovations Grants."

A copy of the full RFP can also be obtained by contacting:

Diane Rydrych
Health Economics Program
Minnesota Department of Health
121 East 7th Place, Suite 400
St. Paul, MN 55101
Phone: (651) 282-6349
Fax: (651) 282-5628
Email: diane.rydrych@state.mn.us

State Contracts

Informal Solicitations: Informal solicitations for professional/technical (consultant) contracts valued at over \$5,000 through \$50,000, may either be published in the *State Register* or posted on the Department of Administration, Materials Management Division's (MMD) website. Interested vendors are encouraged to monitor the P/T Contract Section of the MMD website at www.mmd.admin.state.mn.us for informal solicitation announcements.

Formal Solicitations: Department of Administration procedures require that formal solicitations (announcements for contracts with an estimated value over \$50,000) for professional/technical contracts must be published in the *State Register*. Certain quasi-state agency and Minnesota State College and University institutions are exempt from these requirements.

Administration Department

Communications Media Division

CORRECTION and Subscriptions

PLEASE NOTE: Due to an error, our Web site mistakenly presented the *State Register* with LINKS and other access aids, including those for Contracts and Grants, and the Index. We apologize for this error. These special features are meant only for subscribers to the E-mail *State Register*. They will no longer be available to viewers of the *State Register* on-line.

Also, printed (hard) copies to the *State Register* will NO LONGER be available after Vol. 28, #52. Only subscriptions via E-mail will be available, beginning with Volume 29, #1 - July 6, 2004.

With an E-mail subscription, you will receive THREE EXTRAS free-of-charge:

- #1 - LINKS are provided for fast reference, saving you time and effort.
- #2 - INDEX - growing with each issue, contains information you need.
- #3 - CONTRACTS & GRANTS - up-to-date listing of contracts, grants and loans, and non-state contracts.

To have the *State Register* E-MAILED to you the afternoon it is published, on Friday, subscribe today. Cost is \$180 for an entire year, \$80 LESS than the cover price. Contact: Minnesota's Bookstore, 660 Olive Street, St. Paul, MN 55155; **Telephone:** (651) 297-8774; **FAX:** (651) 297-8260; **E-mail:** jessie.rahmeyer@state.mn.us.

State Contracts

Minnesota State Colleges and Universities, (MnSCU)

Minneapolis Community and Technical College

NOTICE OF INTENT to Request Proposals for the Harmon Center Retro-fit at Minneapolis Community and Technical College

Project Scope:

Minor remodeling and refurbishing of existing facilities including (but not limited to) miscellaneous HVAC and electrical work, gypsum board/metal studs, hollow metal frames, wood doors, carpet, and painting.

Pre-proposal conference:

There will be a **mandatory pre-proposal conference on Tuesday May 25, 2004 at 10:00 am**. Interested parties shall convene at the building entrance at 1300 Harmon Place. Bidding Documents will be available for viewing only. Additional copies will not be available at this meeting.

Sealed Proposals to be submitted to:

Due Time: 2:00 p.m. on Thursday, June 3, 2000

Mary Prozeller
Minneapolis Community and Technical College
Suite T.11
1501 Hennepin Avenue
Minneapolis, MN 55403
Telephone: (612) 659-6808

Due Date & Time:

Public opening will take place **Thursday June 3, 2004 at 2:15 pm at 1300 Harmon Place**. Proposals must be received prior to opening. Proposal Guarantee (Proposal Bond) in the amount of 5% of the Proposal must accompany each proposal submitted.

To view a copy of the RFP and specifications contact:

Bentz/Thompson/Reitow, Inc., 1123 IDS Center, Mpls., 55403, (612) 332-1234. A deposit of \$100 is required for each set of Bid Documents requested. Requests for Bid Documents (complete sets only) to be mailed must include a separate \$25 payment (per set) payable to Bentz/Thompson/Reitow, Inc. for shipping and handling in addition to the \$100 deposit. Documents will be sent to street addresses only (no P.O. boxes).

Colleges and Universities, Minnesota State (MnSCU)

Winona State University

Request for Sealed Bids for Miscellaneous Equipment for Biology and Chemistry Departments

NOTICE IS HEREBY GIVEN that Winona State University will receive sealed bids for miscellaneous equipment for our Biology and Chemistry Departments. Bid specifications will be available May 17, 2004 from Winona State University Purchasing Department, P.O. Box 5838, 205 Somsen Hall, Winona, MN 55987 by calling (507) 457-5067.

Sealed bids must be received by Sandra Schmitt at P.O. Box 5838, or at 175 W. Mark St., Somsen 205G, Business Office, Winona State University, Winona MN 55987 by 3:00 p.m. June 1, 2004.

Winona State University reserves the right to reject any or all bids and to waive any irregularities or formalities in bids received.

Colleges and Universities, Minnesota State (MnSCU)

Winona State University

Request for Sealed Bids for Miscellaneous Equipment and Supplies for Geosciences Department

NOTICE IS HEREBY GIVEN that Winona State University will receive sealed bids for miscellaneous equipment and supplies for our Geosciences Department. Bid specifications will be available May 17, 2004 from Winona State University Purchasing Department, P.O. Box 5838, 205 Somsen Hall, Winona, MN 55987 by calling (507) 457-5067.

Sealed bids must be received by Sandra Schmitt at P.O. Box 5838, or at 175 W. Mark St., Somsen 205G, Business Office, Winona State University, Winona MN 55987 by 3:00 p.m. June 2, 2004.

Winona State University reserves the right to reject any or all bids and to waive any irregularities or formalities in bids received.

Minnesota Historical Society

Notice of Request for Proposals for Exhibit Demolition, Construction, Painting, and Electrical Services

May 17, 2004

The Minnesota Historical Society is seeking proposals from qualified and experienced vendors for demolition, construction, painting, and electrical services to support a new exhibit at the Minnesota History Center in St. Paul, Minnesota. It is a traveling exhibit, created by the Smithsonian Institution in Washington, D.C., called "The American Presidency: A Glorious Burden." This new exhibit will be installed in a 4,500 square foot gallery space which will be available by July 26, 2004. The installation must be substantially complete by September 15, 2004.

Proposers should also note that a mandatory pre-proposal meeting has been scheduled for Thursday, May 27, 2004.

The Request for Proposals (which will also serve as the Project Manual) is available by calling or writing Mary Green Toussaint, Contracting & Purchasing Assistant, Minnesota Historical Society, 345 Kellogg Blvd. W., St. Paul, MN 55102. **Telephone:** (651) 297-7007 or **e-mail** mary.green-toussaint@mnhs.org.

All proposals must be received no later than 2:00 P.M., Local Time, Thursday, June 10, 2004. Late proposals will not be considered.

Department of Human Services

Notice of Availability of Contract for an Independent Evaluation of the Consumer Directed Community Services Option

The Minnesota Department of Human Services is requesting proposals for the purpose of designing and implementing an independent evaluation of the Consumer Directed Community Services Option under DHS Home and Community Based Services Waiver Programs.

Questions about this Request for proposals must be submitted by **May 28, 2004**, and proposals are due by **2:30 p.m. on July 7, 2004**. Work is proposed to start after **August 30, 2004**.

The Request for Proposal can be obtained from:

Karen Langenfeld, Project Team Leader
mail to: karen.langenfeld@state.mn.us
444 Lafayette Rd.
St. Paul, MN 55155-3872
VOICE: (651) 582-1941
TDD: Call 7-1-1

A copy of the proposal can also be found on the Disability Services Division web site at <http://www.dhs.state.mn.us/Contcare/disability/default.htm>

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than **2:30 p.m. Friday, June 18, 2004**. **Late proposals will not be considered.** Fax or e-mailed proposals will **NOT** be considered.

This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

State Lottery

Proposal Sought for Advertising Services RFP

The Minnesota State Lottery is seeking to contract the services of a full-service advertising agency to assist the Lottery in its brand building and strategic marketing efforts. The Lottery anticipates entering into a three-year contract with the successful agency, with three additional one-year extensions that may be exercised by the Lottery. To be considered, a prospective ad agency must submit its qualifications in response to a Request for Proposals ("RFP"), which will be issued on or about May 17, 2004. Interested agencies may review the text of the RFP at www.mnlottery.comadrfp in Microsoft Word format, or contact:

Carolyn L. Ross
Contracts & Purchasing Manager

State Contracts

2645 Long Lake Road
Roseville, MN 55113
(651) 635-8102 (direct)
888-568-8379 ext. 102 (toll-free)
www.carolyn_r@mnlotttery.com

Public Employees Retirement Association

Request for Proposals (RFP) for Actuarial Services

Public Employees Retirement Association of Minnesota (PERA), on behalf of the seven major and statewide public pension plans (PERA; Minnesota State Retirement System; Minnesota Teachers Retirement Association; Minneapolis Employees Retirement Fund; Minneapolis Teachers Retirement Fund Association; St. Paul Teachers Retirement Fund Association; and Duluth Teachers Retirement Fund Association), is soliciting proposals from qualified actuarial firms interested in serving as consulting actuary for the period beginning July 1, 2004 and ending June 30, 2007. The resulting contract may be extended beyond the initial three-year term in two one-year increments at a price mutually agreed upon by both parties. Primary duties will include performing annual actuarial valuations for all seven entities; performing annual Minnesota Post Retirement Investment Fund participation valuations; performing quadrennial experience studies for the three largest statewide pension plans; preparing cost estimates of proposed legislation; and preparing reports for the Legislature.

Qualified actuaries must be regularly engaged in the business of providing actuarial services to large public pension funds and have at least 15 years experience with major public employee pension funds or designation as a fellow in the society of actuaries.

Details are contained in a Request for Proposal which may be obtained by calling or writing:

Mary Daly, Executive Assistant
PERA
60 Empire Drive, Suite 200
St. Paul, MN 55103
Telephone: (651) 296-7489
Fax: (651) 296-8392

All proposals must be received at the PERA office by 3:00 p.m. on Friday, June 4, 2004.

Department of Transportation

Engineering Services Division

Notice of Potential Availability of Contracting Opportunities for a Variety of Highway Related Technical Activities (the "Consultant Pre-Qualification Program")

This document is available in alternative formats for persons with disabilities by calling Robin Valento at (651) 284-3622 for persons who are hearing or speech impaired by calling the Minnesota Relay Service at (800) 627-3529.

Mn/DOT, working in conjunction with the Consultant Reform Committee, the Minnesota Consulting Engineers Council, and the Department of Administration, has developed the Consultant Pre-qualification Program as a new method of consultant selection. The ultimate goal of the Pre-Qualification Program is to streamline the process of contracting for highway related professional/technical services. Mn/DOT anticipates that most consultant contracts for highway-related technical activities will be awarded using this method, however, Mn/DOT also reserves the right to use RFP or other selection processes for particular projects. Nothing in this solicitation requires Mn/DOT to complete or use the Consultant Pre-qualification Program.

Mn/DOT is currently requesting applications from consultants. Refer to Mn/DOT's Consultant Services web site, indicated below, to see which highway related professional/technical services are available at this time. Following the advertisement of a particular category of services, applications will be accepted on a continual basis.

All expenses incurred in responding to this notice will be borne by the responder. Response to this notice becomes public information under the Minnesota Government Data Practices.

Consultant Pre-Qualification Program information, application requirements and application forms are available on Mn/DOT's **web site** at <http://www.dot.state.mn.us/consult>

Send completed application material to:

Robin Valento
Pre-Qualification Administrator

Minnesota Department of Transportation
Consultant Services
395 John Ireland Boulevard, Seventh Floor North, Mail Stop 680
St. Paul, MN 55155

Note: DUE DATE:

APPLICATION MATERIAL WILL BE ACCEPTED ON A CONTINUAL BASIS.

Department of Transportation Engineering Services Division Notice Concerning Professional/Technical Contract Opportunities

NOTICE TO ALL: The Minnesota Department of Transportation (Mn/DOT) is now placing additional public notices for professional/technical contract opportunities on Mn/DOT's Consultant Services **website** at: www.dot.state.mn.us/consult.

New public notices may be added to the website on a daily basis and be available for the time period as indicated within the public notice.

Non-State Contracts & Grants

The *State Register* also serves as a central marketplace for contracts let out on bid by the public sector. The *State Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector. It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of project and tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact editor for further details.

Hennepin County

Request for Qualifications for Professional Consultants

Hennepin County requests qualifications and fee schedules for professional consulting services in the areas of: architecture, engineering, planning, environmental health & safety, environmental management, housing, community works & transit, transportation, and certain specialty areas. The purpose of this Request for Qualifications (RFQ) is to establish two-year consulting service agreements to provide professional services on an as-needed basis for during 2005-2006. Please note that selection of a firm and execution of an agreement does not guarantee any current or future work. Responses are due by June 3, 2004.

The Request for Qualifications (RFQ) and related documents are posted on a designated page of the County's web site beginning May 3, 2004, and is being advertised in numerous publications and professional associations. You may navigate to the County web page for this RFQ by starting at www.hennepin.us, then click on links in this order: Your County Government (upper left corner); Doing Business with Hennepin; Contract Opportunities; RFQ for 2005-2006 Professional Consulting Services (under the "Current RFP's, RFQ's..." heading). Or, try typing RFQ in the search box.

If you are unable to download the RFQ and would like to receive a copy in the mail, please contact Jay Sorlien at (612) 596-8633 or jay.sorlien@co.hennepin.mn.us.

Metropolitan Council

Notice of Request for Proposals on the South Saint Paul Forcemain Improvement

RFP Number 03P128

NOTICE IS HEREBY GIVEN that the Metropolitan Council is re-soliciting proposals for facility planning, engineering design and engineering construction support services for replacement and/or rehabilitation to the Council's existing interceptor from the South Saint Paul Lift Station to the Metropolitan Waste Water Treatment Plant in Saint Paul. Previous facilities planning efforts have identified three alternative routes and a recommended route. Completion of the facilities plan is expected to require significant environmental studies.

The Council intends to use a two phase process to evaluate proposals in response to this RFP. In Phase 1, prospective proposers will be asked to submit information concerning the qualifications and experience of the proposer and its staff. After evaluating

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Phase 1 submittals, the Council will invite selected proposers to advance to Phase 2 and provide a project work plan, cost proposal, and other information. Those firms participating in Phase 2 will have an opportunity to meet with Council staff to answer questions and discuss the project.

The *tentative* schedule for this project is as follows.

<i>RFP Issue Date</i>	May 10, 2004
<i>Phase 1 Submission Due</i>	May 26, 2004 at 2:00 PM
<i>Phase 2 Proposers Selected</i>	June 4, 2004
<i>Meetings with Council Staff</i>	Week of June 7, 2004
<i>Phase 2 Proposals Due</i>	July 6, 2004 at 2:00 PM
<i>Award of Contract</i>	July, 2004

All firms interested in this project should submit a request for a copy of the RFP through:

Harriet Simmons, Administrative Assistant, Contracts and Procurement Unit
Metropolitan Council
Mears Park Centre
230 E. Fifth Street, St. Paul, MN 55101
Phone: (651) 602-1086
Fax: (651) 602-1138
E-mail: harriet.simmons@metc.state.mn.us

University of Minnesota

Notice of Bid Information Service (BIS) Available for All Potential Vendors

The University of Minnesota offers 24 hour/day, 7 day/week access to all Request for Bids/Proposals through its web based Bid Information Services (BIS). Subscriptions to BIS are \$75/year. Visit our web site at bidinfo.umn.edu or call the BIS Coordinator at (612) 625-5534.

Requests for Bids/Proposals are available to the public at no charge each business day from 8:00 a.m. to 4:30 p.m. in the Purchasing Services lobby, Suite 560, 1300 S. 2nd Street, Mpls., MN 55454.

University of Minnesota

Request for Proposal for Utility Infrastructure Upgrade / UMC

Project Number 831-02-1641

I. NOTICE OF REQUEST FOR PROPOSAL

The University of Minnesota is interested in architectural design and engineering services for the University of Minnesota, Crookston Campus, Heating Plant Utility Infrastructure Upgrade of an existing facility. The intent of this Request for Proposal (RFP) is to complete the design using the current Pre-Design and other companion documents as a reference point

E-mail or call your request for the full RFP to Chip Foster, which will be sent free of charge to interested vendors or it can be accessed at www.cppm.umn.edu/rfp.html.

II. CONTACT FOR RFP INQUIRIES:

Refer questions to:

PURCHASING SERVICES:

Chip Foster
Facilities Management
400 Donhowe Building
319 15th Ave. SE
Minneapolis, MN 55455-1082
E-Mail: fosterc@facm.umn.edu
Phone: (612) 626-6080
FAX: (612) 624-5796

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III. TENTATIVE SCHEDULE OF EVENTS

(Be advised that these dates are subject to change as University deems necessary.)

	DATE
<i>RFP issue</i>	May 14, 2004
<i>Mandatory Pre-Proposal Meeting on site at the Kiehle Hall</i>	June 2, 2004
<i>All Questions Mailed/Faxed to Purchasing Services by noon:</i>	June 3, 2004
<i>Responses due @ 3PM</i>	June 9, 2004
<i>Evaluation, Selection of Short-listed Finalists (tentative)</i>	June 15, 2004
<i>Respondent Presentations (tentative in Crookston)</i>	June 23, 2004
<i>Anticipated date of Award</i>	June 23, 2004

The University reserves the right, in its sole discretion, to reject any and all proposals, accept any proposal, waive informalities in proposals submitted, and waive minor discrepancies between a proposal and these proposal instructions, as it deems to be in its best interest. Any waiver of the University with respect to the requirements of these proposal instructions shall apply only to the particular instance for which it was made or given, and no such waiver shall constitute a permanent or future waiver of such requirements.



FREQUENTLY ASKED QUESTIONS

DELIVERY TIME

Delivery Method	Time	Fee
E-mail	0-1 days	none
Standard Shipping	7-10 days	none
Rush Shipping	1-2 days	\$50
Standard Pick-up	1-2 days	none
Same-day Pick-up	0 days	\$50

Are the lists 100% accurate?

No, 100% accuracy is impossible due to the ongoing address and license status changes. Mailing lists are updated daily, weekly, monthly, quarterly or annually, depending upon the licensing board or agency. It is a good idea to call and find out when a certain list was last updated.

Where do the names come from?

The names included on each mailing list are acquired from the designated licensing board or agency.

Do I have to purchase the whole list?

No, you may select individual ZIP codes, designate the first three digits of a ZIP code (such as all the 554 ZIP codes), or specify one or more Minnesota counties. Other selection criteria are described after each list. Use the "Customize Your Mailing List" worksheet on page 33 to request a count for a custom list. Please note that lists with more than 12 special selects will be charged a minimum programming fee of \$25.00.

Do I qualify for a discount?

List brokers qualify for a 20% discount, but a minimum order of 5,000 names is required to receive this discount. Non-profit organizations (charities) registered with the State of Minnesota Attorney General's office qualify for a 30% discount with proof of non-profit standing.

If I order more than one set of labels, do I receive a discount?

Duplicate sets of labels are half price. There is no limit on the number of duplicate sets you may purchase at the discounted price.

What is the return policy?

All lists are produced according to customer specifications and cannot be returned.

How do I pay for my order?

Prepayment is required on all orders. Checks should be made payable to "State of Minnesota." Orders may also be placed using a major credit card (VISA, MasterCard, American Express or Discover). Orders using a credit card can be placed by phone or fax.

What is the format of the data provided on diskette or by e-mail?

Lists are provided as ASCII comma-delimited data. Other data formats, such as tab-delimited text, fixed field, or DBF may be available upon request. If a diskette is requested, the data will be provided on an IBM-compatible diskette. Macintosh-compatible diskettes are also available upon request. In addition to the data itself, a DOS text file that shows layout of the data will be provided. The layout file includes the field names, an explanation of each field, and the field length.

Be sure you have appropriate database software to access the data contained on the disk. Disks contain data only, not a database or labeling program.

If I order on diskette or by e-mail, can I re-use the list?

There are no restrictions on the number of times you use a list. However, we recommend that you update your data at least once a year.

